

**TRANSMITTAL OF APPEAL BRIEF**Docket No. (Optional): **061606-1671**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Appeal Brief; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

12-9-2008Signature Julie CampbellIn re Application of  
**Bremer, et al.**Application Number  
**10/689,425**Filed  
**10/20/2003**For  
**Performance Customization System and ....**Group Art Unit  
**2611**Examiner  
**Tse, Young Toi**Confirmation No.:  
**2794**

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on December 5, 2008

The fee for this Appeal Brief is (37 CFR 1.17(c))

\$ 540.00

**(complete (a) or (b) as applicable)**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.17(a)-(d) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

- |                          |                                  |           |
|--------------------------|----------------------------------|-----------|
| <input type="checkbox"/> | One month (37 CFR 1.17(a)(1))    | \$ 65.00  |
| <input type="checkbox"/> | Two months (37 CFR 1.17(a)(2))   | \$ 245.00 |
| <input type="checkbox"/> | Three months (37 CFR 1.17(a)(3)) | \$ 555.00 |
| <input type="checkbox"/> | Four months (37 CFR 1.17(a)(4))  | \$ 865.00 |

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that the applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**Method of Payment:**

☐ Payment is enclosed as follows:

- |                                     |   |                      |
|-------------------------------------|---|----------------------|
| <input type="checkbox"/>            | A check in the amount of  | enclosed.            |
| <input type="checkbox"/>            | Payment by credit card. Form PTO-2038 is attached in the amount of  |                      |
| <input type="checkbox"/>            | The Commissioner is authorized to charge  | to a Deposit Account |
| <input checked="" type="checkbox"/> | The Commissioner is hereby authorized to charge any deficiencies in fees, or credit any overpayment to Deposit Account No. 20-0778. A duplicate copy is enclosed. |                      |

**Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

9 Dec 08

Date

Randy R. Schoen

Randy R. Schoen, Reg. No. 62,440